



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

*Jovanny Aguirre*

Defendant.

CASE NO. *R14-182-2*

ORDER OF DETENTION

I.

A. ☒ On motion of the Government in a case allegedly involving:

1. ☐ a crime of violence.
2. ☒ an offense with maximum sentence of life imprisonment or death.
3. ☒ a narcotics or controlled substance offense with maximum sentence of ten or more years .
4. ☐ any felony - where the defendant has been convicted of two or more prior offenses described above.
5. ☐ any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C § 2250.

B. ☒ On motion by the Government / ☐ on Court's own motion, in a case

allegedly involving:

(☒) On the further allegation by the Government of:

1. (☒) a serious risk that the defendant will flee.

2. ( ) a serious risk that the defendant will:

a. ( ) obstruct or attempt to obstruct justice.

b. ( ) threaten, injure, or intimidate a prospective witness or juror or attempt to do so.

C. The Government (☒) is/ ( ) is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

II.

A. (☒) The Court finds that no condition or combination of conditions will reasonably assure:

1. (☒) the appearance of the defendant as required.

( ) and/or

2. (☒) the safety of any person or the community.

B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

III.

The Court has considered:

A. the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

B. the weight of evidence against the defendant;

C. the history and characteristics of the defendant; and

D. the nature and seriousness of the danger to any person or to the community.

## IV.

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

## V.

The Court bases the foregoing finding(s) on the following:

A. (✓) As to flight risk:

B. (✓) As to danger:

*Defendant provided no background information.*

## VI.

A. ( ) The Court finds that a serious risk exists that the defendant will:

1. ( ) obstruct or attempt to obstruct justice.

2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

B. The Court bases the foregoing finding(s) on the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## VII.

A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving

1 sentences or being held in custody pending appeal.

2 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable  
3 opportunity for private consultation with counsel.

4 D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
5 or on request of any attorney for the Government, the person in charge of  
6 the corrections facility in which the defendant is confined deliver the  
7 defendant to a United States marshal for the purpose of an appearance in  
8 connection with a court proceeding.

9  
10  
11  
12 DATED: 4.7.2014

  
HONORABLE JAY C. GANDHI  
UNITED STATES MAGISTRATE JUDGE